

United States Bankruptcy Court
District of New Jersey (Newark New Jersey)
Chief Judge Kathryn C. Ferguson
Judge Vincent F. Papalia
Judge Thomas J. Laconte
US Justice Department

U.S. BANKRUPTCY COURT
FILED
NEWARK, NJ

2018 MAY 24 P 3:05

JEANNE A. HAUGHTON

BY: *RH*
DEPUTY CLERK

February 3, 2018

BKR-Chapter. 13 # 16 -20958-VFP

BKR-Chapter 7 # 17-17654-VFP

BKR-Chapter 13 # 18-14250

Stephanie Washington
Sonia Washington
31-33 Van Winkle Avenue
Passaic, New Jersey 07055
Plaintiff

-Vs-

Wells Fargo NA Bank
PNC Bank
Rushmore Loan Services
David M. Schlachter
Marc Alster
MTGLQ
Pluese, Becker & Saltzman/ Attorney West
Zucker, Goldberg & Ackerman

U.S. DISTRICT COURT
DISTRICT OF NEW JERSEY
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Defendants.

Attorney David M. Schlachter
647 Main Avenue, Suite 203
Passaic, NJ 07055

----- COMPLAINT -----

Department of Civil Rights
U.S. Trustee Department

I am filing this complaint under specific and special circumstances surrounding my three bankruptcy cases. My sister Stephanie Washington and I have written many letters to bankruptcy court to simply keep up with the errors and administrative errors that took place in our bankruptcy case. We have written more than fifteen (15) letters to the courts, bankruptcy court and letters to no avail. My sister's letters have not gotten the attention needed to stop the injustice happening in our bankruptcy case. Which now I am bringing attention to the issues, violations and fraud that seemed to have pledge my bankruptcy cases. Since the first chapter 13 bankruptcy case began in 2016. My bankruptcy case was an issue when seeking a modification in bankruptcy court filed by Attorney Alster in a chapter 13 plan. Wells Fargo as I learned signed off with escrow account and acceleration in 2015 of my residential property. Yet complaint was filed in bankruptcy court under Wells Fargo creditor. Wells Fargo also when mailed court documents to me. Stated that documents were filed with the courts, documents were never mailed to me filed with the courts.

As my chapter 7 bankruptcy case was unlawfully dismissed through fraudulent measures, with fatal defects and violations, and improper denial of a modification, unperfected documentation issues to a foreclosure, improper notarization issues (defected assignments of mortgage), and attempt of improper foreclosure of my residential property. And many other violations while in bankruptcy court. The rejection of my bankruptcy chapter 13 confirmed plan payments to Rushmore Loan Management Services The violation of the Fair foreclosure Act and The violation of The Truth in lending Act. A modification was requested, filed in bankruptcy court and agreed through Wells Fargo said creditor. This although Rushmore Loan Management Services and or MTGLQ Investors have been fighting among them self of ownership, since after my chapter 13 bankruptcy petition was filed in March 2016. As Attorney West states he is only representing Rushmore Loan Management Services in this case.

I am requesting to compel the modified payments of mortgage from, either one of the three entity named in this complaint. Whomever is authorized to permit a loan modification in my case, to saving my residential home from foreclosure or dismiss the foreclosure action, and attempt to foreclosure action filed, by Wells Fargo. There are issues within my bankruptcy case that knowingly prohibits these entities from grant a modification, negotiate or change terms of loan or to further court proceedings. Thus attempting an illegal and improper foreclosure sale of my residential property. As there is no documentation available/perfection of documentation in this case, as from the original mortgagee. And I have been, taken advantage of through this process, from the creation of false documentation, to make a case. I have been In during constant misconduct and fraud as a result of these issues. And I am disabled and not equipped to deal with this any longer.

On January 9, 2018 I had a hearing in bankruptcy court to receive a modification to saving my residential property. Judge Vincent F. Papalia stated my hearing was adjourned. Judge Papalia stated that Attorney Stuart West of Pluese, Becker & Saltzman representing Rushmore Loan Management Services and or MTGLQ Investors adjourned this hearing. Attorney West communicated with bankruptcy court. That he did not have all the paperwork to review my modification. However weeks prior to this hearing my Attorney David Schlachter was hand delivered at his office, all paperwork for this modification. We were only waiting a letter from my brother the co-borrower. Attorney Schlachter was a no show at this hearing, and did not inform me, hearing was going to be adjourned. In fact both attorneys on both sides Attorney Schlachter and Attorney West were a no show on hearing date January 9, 2018. However I was present me and my sister Sonia Washington. As we are always present for all hearings. I was present to defend our residential property, since I can not trust, Attorney Schlachter would be. I can not trust that Attorney Schlachter, will show up to my hearings and work on my behalf to saving my home. Attorney Schlachter has been a no show before, and has made many errors and administrative errors, harmful to my property in my chapter 7 bankruptcy case. When Attorney Schlachter deliberately, neglected to file documents for my bankruptcy case, that caused my case to be dismissed and or caused my case to close.

On January 9, 2018 Judge Papalia stated my case was abruptly adjourned, when Attorney West communicated with bankruptcy court, that he did not tell, Attorney Schlachter on time about the adjournment. As Attorney Stuart West was taking the blame for this delay this time around. This adjournment seems to be just another excuse made to deny my modification once again. This modification has been long overdue since July 12, 2017 hearing date. When It was discovered by Judge Papalia that Attorney Schlachter had me making over and excessive payments to him. The payments I made to Attorney Schlachter was not factored into my modification review, with Rushmore Loan Management Services and caused my modification to be denied. My modification was denied when Attorney Stuart West, stated I had a shortage in my household income of \$413.00 dollars a month to receiving a modification. However this was due to the over and excessive payments of \$500.00 dollars a month to Attorney David Schlachter. Attorney Schlachter had been stating, he is litigating my chapter 7 bankruptcy case for a total of \$7,500.dollars, when he was not

Attorney Schlachter was receiving \$500.00 dollars each month from my household and has now received \$4,500.00 dollars to this date. When Attorney Schlachter has a cap of \$1000.00 dollars, of what he can charge a client in a chapter 7 bankruptcy case. On July 12, 2017 Judge Papalia when discovered this issue of abuse and fraud. Then agreed with Attorney West to help Attorney David Schlachter with a modification outside of bankruptcy court in my case. On January 9, 2018 hearing date, I expressed concerns to Judge Papalia when my hearing was not being heard as planned. And when both attorneys were a no show. I was felt I was not going to receive a modification as agreed in bankruptcy court on July 12, 2017. On January 9, 2018 I expressed concerns, to Judge Papalia stating that I was here to receive a modification and Judge Papalia stated, that my attorney and I need to communicate more. As if I did not know, what I was in bankruptcy court for. However I stated to Judge Papalia that this modification has been long overdue. And I have been abused by this process and have been writing to him and the bankruptcy court many times of the abuse taking place within my bankruptcy case by Attorney Schlachter. Judge Papalia stated he could not get involved. And on January 30, 2018 the new bankruptcy court date. Attorney Schlachter was physically present this time around. Attorney Schlachter was to file a motion to reopen my case or an extension made. To awaiting a letter from my brother the co-borrower requested by Ms. Tracey Thomas of loss mitigation. Attorney Schlachter did not motion bankruptcy court for a hearing to reopen my case to receive the letter from my brother or to obtain the modification that was agreed in bankruptcy court on July 12, 2017.

Attorney Schlachter instead motioned bankruptcy court for a hearing to redact my many letters of complaints, of abuse and fraud from the bankruptcy court portal. This is why on January 9, 2018 Judge Papalia stated we needed to communicate more with Attorney Schlachter. Attorney Schlachter motion to reopen my case was not for me to receive a modification as Attorney Schlachter stated to me. Attorney Schlachter filed on my chapter 7 bankruptcy case, what suited and benefited him. Attorney Schlachter would often state he is filing one thing and then file another. This making me feel humiliated in court in front of the judge and others. Attorney Schlachter filing documents on my bankruptcy case that benefits him only, not for benefit of my case.

Attorney Schlachter has been misrepresenting my case from the beginning. Attorney Schlachter has been stating, that I obtain my own homeowners insurance. And how I will pay nothing after he litigated this case. Attorney Schlachter stating he will litigate the defective assignment of mortgage and the no judgment in my case. Rushmore Loan Management Services insisted also that I get my own homeowners insurance and has been requesting this since 2015. I did obtain my own homeowners insurance in December 2017 prior to the hearing date as Attorney Schlachter requested in preparation of the January 2018 hearing. And on January 30, 2018 as I complained to Judge Papalia about the abuse within my chapter 7 bankruptcy case. And the promise to an agreed modification made in court, as a result of fraud in my case on July 12, 2017. Judge Papalia stated "That was then". However these are the same issues that continue to pledge my case, and the same abusive acts, misconduct and that has prevented me of a loan modification to saving my residential property, by Attorney Schlachter. This is the same case and issues unresolved from the injustice served on me. on July 12, 2017 before Judge Papalia. When it was discovered the abuse, misconduct and fraud in my bankruptcy case. Resulting from a denial of a modification by Attorney Schlachter and Attorney West and both attorneys agreement with Judge Papalia a modification in my case. All agreed to a modification in my case to saving my residential property and only home I have with my family.

On January 30, 2018 I was just awaiting a letter from my brother, for which Rushmore Loan Management Services was going back and forth with this letter issue. As there had been some issues and delays about weather or not my brother had to provide a letter or needed other documents for me to receive a loan modification. Although I provided legal documentation of a quick claim deed from my brother, in this case. However this issue was cleared up on January 28, 2018, before this hearing date January 30, 2018.

When I called Ms. Tracey Thomas of Rushmore Loan Management Services. Loss Mitigation Department. Ms. Thomas stated that, she was very sorry that. I have been given, conflicting information about the letter from my brother.

Ms. Thomas informed me, stating " A letter from your brother Anthony Washington the co- borrower, is all that is needed to receive a modification." Ms.Thomas stated that, "Anthony just needed to be made aware of the modification on the loan." And Ms. Thomas agreed to give me until February 2, 2018 for my brothers letter to arrive. On January 30, 2018 hearing date, I conveyed to Judge Papalia, the conversation I had with Ms. Tracey Thomas of Rushmore Loan Management Services, Loss Mitigation / modification department. I stated to Judge Papalia, that Ms Tracey Thomas agreement to give me until February 2, 2018 for my brothers letter to arrive. Judge Papalia stated then, I should get this letter to them. And I did provided my brothers letter to Ms.Tracey Thomas on January 31, 2018 via Ms. Thomas email address. However we did not receive the modification as agreed to saving our home. And Rushmore Loan Management Services did not honor my brothers letter as agreed. It seems that both hearings, that took place, on January 9th 2018 and on January 30, 2018. Both hearings filed by Attorney Schlachter on my case, were filed solely to redact my letters, of complaints from the bankruptcy portal. As Attorney Schlachter argued over and over with Judge Papalia to redact my letters from the portal, but Judge Papalia did not. Judge Papalia stated that, these are my letters and did not order redaction of my letters from the bankruptcy portal.

However it seems there was no loan modification to be obtained from the beginning from Rushmore Loan Management Services, agreed by Attorney West and agreed by Judge Papalia to resolve Attorney Schlachter misconduct and fraud on my bankruptcy case. Although a modification was agreed by Judge Papalia in bankruptcy court on July 12, 2017. There was no modification to be obtained. And the only reason for the hearings Attorney Schlachter filed on my bankruptcy case, was for Attorney Schlachter own benefit. To redact my letters of the fraud on my bankruptcy case. And the letter from my brother was a delay tactic. This especially since the motion Attorney Schlachter filed on my case, to have my chapter 7 case reopened. This motion Attorney Schlachter filed was so weak with no support. Judge Papalia stated he could not reopen my bankruptcy case. And this motion to reopen my case was found, hidden underneath the motion to redact my many letters of complaint to bankruptcy court of my case.

My letters of complaints tell how Attorney Schlachter, has been misrepresenting me in my chapter 7 bankruptcy case the whole time. The attempt to an improperly and forced foreclosure and surplus auction sale of my residential property. When clearly there is no modification to be obtained, from the very beginning of my petition to my bankruptcy case. As there was no proof of claim filed in this confirmed chapter 7 case . And no proof of claim filed, in our first chapter 13 confirmed bankruptcy case. My chapter 13 the proof of claim on my case was disallowed by bankruptcy court, being late and incomplete. My chapter 13 case was then dismissed due to, claims of not receiving a modification. When clearly modifications are continually denied anyway. My chapter 13 case was dismissed although I was making confirmed plan payments of \$1,143.54 dollars each month to Rushmore Loan Management Services, and \$100.00 dollars to the trustee without interruption for over eight months. With Rushmore sending back a check or two and attempting foreclosure.

On January 30, 2018 I tried to communicate with Judge Papalia why I feel my bankruptcy case should not be dismissed. I stated to Judge Papalia that there was no judgment on this case. However an alias writ was applied while my case was in chapter 7 bankruptcy, under the automatic stay. This is a violation to the automatic stay. Also I stated to Judge Papalia on January 30, 2018, that I discovered Attorney Schlachter filed with bankruptcy court on July 5, 2017 a DUMMY MODIFICATION document. Stating Wells Fargo is the creditor. Attorney Schlachter filed a loan modification, that brings payments to a level I could afford of \$1,200.00 dollars a month payable by August 1, 2017. Attorney Schlachter filed this dummy modification document with bankruptcy court. As to deliberately stage a payment agreement. That looks as if I failed to make payment to this modification agreement.

This dummy modification filed by Attorney Schlachter was meant to be used as a reason to foreclose my residential property. This once my chapter 7 bankruptcy case was to be dismissed by Judge Papalia. This since Attorney Schlachter filed a very weak motion to reopen my case. This was a deliberate act by Attorney Schlachter and should be criminal.

I stated to Judge Papalia that, this is why my chapter 7 bankruptcy case, should have been reopened. There should have been the reopening of my case for the protection of my home, by the automatic stay. Due to the many injustices found and fraud in my bankruptcy case. I was never made aware of this payment arrangement to make modified payments of \$1,200.00 dollars to Wells Fargo by August 1, 2017. And Attorney Schlachter never discussed this modification arrangement with me requested of Wells Fargo. Still my case was dismissed on January 30, 2018. Also in November 2017 Attorney Schlachter communicated to me, while in his office, in a threatening nature. That he can sue me, because my letters are slanderous to him. Attorney Schlachter warned me to stop writing letters to the court. And Attorney Schlachter insisted, that I write an apology letter to himself and to Judge Vincent F. Papalia and to Chief Judge Kathryn C. Ferguson about my many letters to the bankruptcy court. Attorney Schlachter stated, that I should file this apology letter, before he would file to reopen my case in bankruptcy court. I wrote this apology letter and filed apology letter with bankruptcy court, just like Attorney Schlachter said. Although I felt very threatened by this and I became nervous and physically ill by this. However I still wrote the apology letter, even though against my will. I did this, that I may save my residential property and only home I have under the protection of the bankruptcy automatic stay from an illegal and improper foreclosure sale.

I did not want to write this letter of apology. I did not want to take back my words as Attorney Schlachter wanted me to do. I feel I have been abused and, misrepresented in my chapter 7 bankruptcy case by Attorney Schlachter and by Rushmore Loan Management Services. I did not want to forget or have the events that took place in my case forgotten. While Rushmore Loan Management Services would send back two of my many confirmed plan payments. And while Attorney Schlachter misrepresented me in my case. By stopping me from making these plan payments. As I continued to make payments mailing payments back to Rushmore. Attorney Schlachter stating Rushmore is only going to continue to send payments back. This misconduct while Attorney Schlachter made claims that he is litigating my case. And never taking case to state court. My chapter 7 bankruptcy case was met with many errors and administrative errors. These errors on my case allowing for my chapter 7 bankruptcy case, to be open then abruptly closed, and then open again multiple times, then dismissed as it was. This giving advantages to the other party, Wells Fargo NA bank and or Rushmore Loan Management Services, and or MTGLQ. As many delays took place as they could not make up their minds of who has ownership or not. As it seems no one seems to know who is able to authorize a loan modification, or in a position to modify the loan in my case, or said holder of the note. However an attempt to illegally and improperly foreclose on my residential property, while there was no amended complaint. This while my property was abandoned back to me by the chapter 7 trustee in my case.

Attorney Schlachter has stated my chapter 7 case has been held open by bankruptcy court, by Judge Papalia at some point and time after July 12, 2017 To allow for the modification that was unjustly denied, to saving my residential property. Then at another time Attorney Schlachter stated my case, was held open by both Attorney Schlachter himself and Attorney West of Pluese, Becker & Saltzman. In order that I may receive a modification agreed upon in bankruptcy court since July 12, 2017. It seems that this waiting period, for this modification, was delayed many times to the point that. My residential property could have been sold from underneath me. As there were hearings taking place, delays and adjournment taking place on my case. And Attorney Schlachter insisting that I do not have to attend hearings when I would asked. Attorney Schlachter stated "hearings are only for the attorneys". And still Attorney Schlachter himself, would not be present for these hearings when I showed up. I was present to defend my property and if I was not. My case would have been easily dismissed. if I did not keep up with my bankruptcy case and the misconduct taking place on my case. My residential property would have been sold from underneath me. I had several near misses, where my case was sitting in limbo. When my case was to be in bankruptcy court under the protection of the automatic stay.

When my case was to be on hold, in bankruptcy court awaiting review in 14 days, of a discharge. When I discovered the adjournments dates were not dropping down, but sale date was steadily fast approaching, meeting up with adjournment date. I had to frantically call Attorney Schlachter and bankruptcy court, to make them aware of my home, left unprotected by the stay.

Attorney Schlachter stated he was on his religious retreat and was not aware of this issue. A deliberate act to force a foreclosure. I have always expressed to Attorney Schlachter, the importance of my home to my family and me. And my need to keep my residential property as I am disabled, and need my family. And this family home was once of three generations living in this home. And I have retained Attorney Schlachter seeking the protection of my residential property, and not to have been discharged, But this was another administrative error in my chapter 7 bankruptcy case made. I did not know about a discharge in this case. Until and when Attorney Schlachter informed me of an administrative error that took place in my chapter 7 case. When the second credit counseling report was not filed and then, the mix up of a discharge that was not suppose to happen took place. Keeping my residential property was always the initial reason for obtaining Attorney Schlachter. Attorney Schlachter was obtained by me and my sister Sonia Washington on February 28, 2017.

Attorney Schlachter was to litigate the issues in my case in state court. The issues Attorney Schlachter was to address in state was that, I answered complaint with a contested answer with a \$135.00 dollar check, that was mailed back to me. I received a second notice stating, to the absent defender. I responded again for the second time, to the absent defender notice. I stated this was a second response to complaint. There was no fee requested for the absent defender notice. However I received another notice mailed to me, stating received answer, but filing fee missing and insufficient amount. This notice showing a corrected amount of \$135.00 dollars. Although I mailed check in correct amount of \$135.00 dollars, and check was mailed back to me. Attorney Schlachter was to present to state courts these specific issues regarding my case in state court and my case was never heard in state court. Attorney Schlachter lied to me stating Judge Lacote said case was too old to hear on April 18, 2017.

Attorney David Schlachter and Attorney Stuart West has been stating, my case was left open to receive the agreed modification, since July 2017 to this present time. A modification review that is not even obtainable, through Rushmore Loan Management Services nor genuine in nature, involving my bankruptcy case. On January 30, 2018. I express to Judge Papalia my concerns with my bankruptcy case. And why I feel my chapter 7 bankruptcy case should have not been dismissed but opened/reopened. As I have been complaining of the abuse of this process at every hearing date and via emails and my many letters to the bankruptcy court. I expressed that I am very concern of the protection of my residential property and only home, that my family and I have to live. These are very important factors in my case, that have fallen on deaf ear. And on January 30, I tried to convey to Judge Papalia, all the reason why my case should be reopened and protected by the automatic stay. The one major reason being the alias writ that was applied to my case, while in bankruptcy court under the automatic stay. When on September 12, 2017 hearing date. Attorney Schlachter was again a no show at my hearing. I was left trying to explain to Judge Papalia, what the extra money to attorney was paid out to him for. I stated to Judge Papalia that Attorney Schlachter stated he would be litigate my chapter 7 case for the defected assignments of mortgage, And case being disposed without a judgment. And within a few days after stating there is no judgment on this case. On September 15, 2017, an alias writ was applied to my closed state court case. An alias writ applied while my case was in federal court under the protection of the automatic stay. On the State Court access of information system, it specifies case was disposed without a judgment on May 20, 2015. There was no initial judgment to receiving this alias writ that was applied while my case was in bankruptcy court. Attorney West of Pluese, Becker & Saltzman, continue to state that a judgment and or a final judgment was entered on my case May 20, 2015. Mr. Stuart West has stated this in court and in written statement to me. In spite the fact case was disposed without a judgement in May 20, 2015.

The court document Attorney West mailed to me, it states. That If he, Attorney West knowingly make false statements that are found to be untrue. That these statements made by Attorney West, can be made punishable to him. Attorney West has not been truthful and has also been using the errors and administrative errors made in my chapter 7 bankruptcy case. Attorney West has been using theses errors in repeat and in rehearsal of my bankruptcy case to steal my home. Attorney West continues to make statement he knows, not to be true.

When he speaks of the credit counseling report that Attorney Schlachter neglected to file on my case. Attorney West also continues to state, I never had a completed modification package. When in fact Attorney West is well aware why my modification was denied, due to Attorney Schlachter excessive payments.. Attorney West want to ignore the agreement made to a modification in bankruptcy court. Also Attorney West want to ignore the agreement of a letter from my brother that was not honored. Attorney West, continues to use errors and administrative errors in my case to his disposal. To carry out the agenda to illegally and improperly foreclosure of my residential property. On January 30, 2018 hearing date, my case should have never been closed but remained open. After I stated for bankruptcy court again a new discovery in my chapter 7 case of fraud. This because of the dummy modification document I found on January 1, 2018. This document was filed on the bankruptcy court portal, stating filed July 5, 2017 by Attorney Schlachter. This document was not present before, but appeared now as ready to dismiss my case . This is fraud on the court. This document was set up as a final display on the bankruptcy portal. And used as the long awaiting modification agreement from Attorney David Schlachter and Attorney Stuart West. The document was staged. As an excuse of why a foreclosure should take place of my residential property. This should be a criminal act. I was not made aware, of a payment arrangement for Wells Fargo and or Rushmore Loan Management Services on August 1, 2017. This was a concealment of my rights, and my ability to pay. This document Attorney Schlachter filed, with bankruptcy court, was never mailed out to me and Attorney Schlachter never discussed this payment arrangement by Wells Fargo and or Rushmore Loan Management Services to me. This document filed by Attorney David Schlachter in bankruptcy court was a deliberate act, to cause loss of my residential property. And cover up, a setup and staged act of (COLLUSION). To an agreement made to a loan modification by Attorney Schlachter and Attorney Stuart West. This was set up on bankruptcy portal, as if I had a failure to make these payments to this modification arrangement.

I have been asking Attorney Schlachter several times, while my case was being delayed, throughout my whole bankruptcy case. I have been asking Attorney Schlachter when do I start making or paying again, to my mortgage. As when I first obtained Attorney Schlachter he, had me stop making confirmed payments to my mortgage, so I can pay him. My bankruptcy case, should have been reopened since it was more clear now, more than ever. That it is an issue on who is obligated to agree to a loan modification on my residential property in my case. When a request for a modification was filed on June 5, 2017 stating Wells Fargo as creditor. This when I have been filing modification package with Rushmore Loan Management Services. So Is it Wells Fargo NA bank, who is creditor or is it Rushmore Loan Management Services who is creditor or is it MTGLQ who is creditor? Who is obligated to give me a loan modification? This since Attorney Schlachter file modification document with bankruptcy court, for a loan modification an agreement with Wells Fargo being the creditor. Also in a earlier inquiry I raised this same question. Who is the creditor (holder of the note) when loan has being bought and sold so many times. And I received yet another entity, not named above. Stating they are holder of the note and or creditor. I have asked this question yet again at this hearing, dated January 30, 2018. And Judge Papalia raised this same question to Attorney West who had no real answer. I have not been giving a clear answer to my question yet, by any one of important. However Attorney West stated in court on January 30, 2018, in response to Judge Papalia question, of who is creditor? Attorney West states " Wells Fargo has been gone a very long time ago" and is not creditor. This is not true Wells Fargo was just a party to my chapter 13 confirmed case in 2016- 2017. With foreclosure activity threatening my residential property to sale and through newspaper advertisement of sale of my home. All in the name of Wells Fargo to foreclose.

As it was Wells Fargo who is named and filed foreclosure complaint in 2013. Rushmore Loan Management Services did not file a complaint in this case or a proof of claim. And had no recorded assignment. Wells Fargo proof of claim was incomplete and untimely, being, disallowed in my bankruptcy chapter 13 petition. Wells Fargo also having notarization issues and creating sale dates with no final judgment, to no judgement at all. And Rushmore Loan Management Services is now illegally attempting a foreclosure sale, in the name of Wells Fargo filed complaint.

However but the original holder or except to forcibly foreclose- illegal and improper sale of my residential property, having to create clear title. My residential property was abandoned back to me since, in chapter 7 bankruptcy by the trustee Mr. Charles M. Forman and no equity in the home. Document trustee abandonment, stating no distribution to the creditor. As Rushmore Loan Management Services took two years to record assignments, post my filing of my first bankruptcy petition. How is it explained that a modification document is filed in bankruptcy court by Attorney Schlachter. In a request for Wells Fargo, with an agreement for me to make payments on August 1, 2017 in the amount of \$1,200.00 dollars. When according to Attorney Stuart West, Wells Fargo does not exist in this case, so who do I obtain a loan modification from? There is no real modification to be obtained. And Rushmore Loan Management Services is not in a position to grant a loan modification in my case. Rushmore Loan Management Services state they are a debt collector as well when calling And where does MTGLQ fit in as both of these entities, recorded assignments on the same day. Is this the reason that I have been given the runaround, denied and abuse of a loan modification? Why was this filed bankruptcy court document, or dummy modification document not filed by Attorney Schlachter for a request, made to Rushmore Loan Management Services, to obtain a modification on my case to saving my home. All my documents /paperwork to receive a modification, was going to Rushmore Loan Management Services via Attorney Schlachter office by his paralegal Ms. Nieves.

In 2010 I suddenly took sick and was hospitalized I could not make payments, to my mortgage and I received complaint. It was Attorney Zucker Goldberg & Ackerman who file complaint on behalf of Wells Fargo in 2013. It was not Attorney Pulses, Becker & Saltzman, who came in on the tail end of this case. . Attorney Zucker, Goldberg & Ackerman have liquidated law firm and have insud lawsuits. However it is PNC bank who is the original lenders of my mortgage loan. In an inquiry to Wells Fargo it was stated, it is Federal loan Mortgage Corp not Rushmore Loan Management Services. So should I have been requesting a loan modification from PNC bank instead? Also when I obtained Attorney Schlachter I informed Attorney Schlachter of the defective assignments.of mortgage. Suddenly both entities Rushmore and MTGLQ then signed assignments, on the same day. Possible the very day they were informed the assignments were not recorded in state court. Also when I questioned Attorney Schlachter about the dummy modification document, he filed in bankruptcy court on June 5, 2017 of agreed modified payments requested to Wells Fargo, instead of to Rushmore Loan Management Services. Attorney Schlachter had not remorse. Attorney Schlachter stated these are payments you could not have paid anyways. Attorney Schlachter leave no words to say about his conduct? Leave me to this lawsuit of pain and suffering and fraud of attempt to steal my residential property, without Judicial process. It appears no attorney wanted to take this case. As I have been to several. Even reputable Attorneys like Deux and Deux refused to take this case. As it seemed to have been difficult. However was not prepared for the misconduct and fraud. I am making payments to Attorney Schlachter and he is deliberately sabotaging my bankruptcy case. And hand delivering my residential property over to be improperly and fraudulently foreclosure. While I pay him to do so. I have had already four attorneys and I didn't get my money back after no work do on my case. I can not go through another attorney like this.

Attorney Schlachter has been lying to me the whole time. My brother asked when do I start making payments again. And I could not answer him. Making my brother reluctant to want send the letter. When asking Attorney Schlachter several times, when do I start payments. Attorney Schlachter would double talk and never answer the question. Attorney Schlachter never mentioned this payment arrangement he made for a modification. So I am requesting either the filed bankruptcy court modification payments of \$1,200.00 dollars a month or the chapter 13 confirmed payment I was making of \$1,143.54 dollars to be compelled as payment to loan/ modified payments- payback of the loan over time. And I am requesting maintaining my own homeowners insurance, paying my own taxes or dismissal of foreclosure complaint on the grounds of fraud in my bankruptcy case. There is clear defects of my case being, abused, neglect, fraud and collusion that took place in my case. Attorney Schlachter in his capacity to perform in a legal manner and do right by his clients neglected his duties.

Attorney Schlachter did not perform the duties he was obtained for on my behalf. To file bankruptcy court proceedings on my case to the protection of my residential property and under the protection of bankruptcy court and bankruptcy court administration and rules of law to saving my home. Attorney Schlachter neglected these duties not having case heard before state court beforehand, sending case to bankruptcy. There has been many violations and my rights of due process violated and the ability to be heard was violated and the need to put an end to this case, was delayed and my sister became ill over this delay. As I told Attorney Schlachter I am ill and could not possible go through this case like this anymore. Attorney Schlachter continued to hinder this case for his own benefit, causing my sister illness and me being physically ill and stressed. Filing Bankruptcy is to get a breather. Attorney Schlachter neglected these duties and misrepresented my chapter 7 bankruptcy case and violated my due process of the law and my civil rights.

On January 30, 2018 hearing date. I convey these issues to Judge Papalia. Though Attorney Schlachter was busy arguing, insisting upon a redaction of my letters, for which Judge Papalia denied. Judge Papalia did state that, these are my letters and did deny redacting my letters. However I was desperately seeking my chapter 7 case to be reopened instead. To the protection of my residential property by the automatic stay. Instead I was left vulnerable to an improper, forced foreclosure sale, surplus auction sale of my residential property. On January 30, 2018 hearing date Judge Papalia expressed at that time. That there was a jurisdictional issue here. Judge Papalia stated "This case should be heard in state court". However the alias writ was applied while in federal court. This case was disposed without a judgement in state court. Attorney Schlachter states he had a hearing on April 18, 2017 in state court. Attorney Schlachter stated that he went before Judge Laconte. And Attorney Schlachter stated Judge Lacote's decision, was that the case was to old. I have discovered Attorney Schlachter did not have my case heard in state court on April 18, 2017 as attorney stated he did. My case was not heard by any judge or by Judge Laconte in state court in 2017. As of December 2017

Attorney Schlachter has been stating he is in state court now to compel the payments I made to Rushmore loan Management Services, while in chapter 13 to be accepted. There were so many valid reasons why my chapter 7 bankruptcy case, should not have been dismissed and should have been reopen to a stay in bankruptcy court. This to the protection of my residential property and only home I have. This from the many issues in my chapter 7 and chapter 13 bankruptcy case. The misconduct and errors and administrative errors made on my case. And to an improper foreclosure and denial to a modification. A loan modification that is not original or even obtainable at this point in my bankruptcy case, thus attempting to foreclose with foreclosure sale listing of my residential property with no judgment/ final judgment.

On January 30, 2018 hearing date, just before leaving courtroom. Attorney Schlachter stated that Judge Papalia don't believe me or ignored me in some way. Attorney Schlachter basically tried to rub it in, how my case was now being dismissed. And on another occasion in Attorney Schlachter office. Attorney Schlachter stated that Judge Papalia don't care about anything anyway. Attorney Schlachter stated that Judge Papalia treat all cases the same. This seemed to be a direct threat, to me and my sister by Attorney Schlachter. This statement made by Attorney Schlachter was telling me, Attorney Schlachter feels he can get away with this and feels he is allowed for his misconduct. Also on December 19, 2018 in Attorney Schlachter office an incident occurred. When I was dropping off paperwork. In conversation with Ms. Nieves attorney Schlachter paralegal. I expressed the difficulty I had to get a letter from my brother. Stating the letter will finally arrive soon. I also told Ms. Nieves that my accountant stated that the 4506-T form she had me fill out was being filled out wrong. And I told Ms. Nieves that we discovered the 4506-T form, Ms. Nieves used was outdated. Ms. Nieves asked could she have this 4506-T form back that she may shred this document my sister and I declined.

This document Ms. Nieves had me sign was outdated with a June or July 2015 date. This is why the 4506-T form document was not accepted by Rushmore representatives. Ms. Nieves then made several calls to ask the bank representative, was a letter ok from my brother. Ms. Nieves was given an answer, stating YES a letter is ok from her brother. This answer came from two different representatives.

However this started a conflict and Mr. Fricki then stated harshly "Tell her then that the modification won't get reviewed. Mr. Tim Fricki directed this statement towards me via speakerphone. Ms. Nevis asked after creating this conflict, did either me or my sister want to talk to Mr. Fricki and we both declined. Because we never told Ms. Nieves to make that call to Mr. Ficki of loss mitigations. This was clearly a direct denial to a modification, by Mr. Fricki of Rushmore Loan Management Services. And this took place before a modification can be reviewed for completion, and before the hearing could take place on this issue. This was more reason why my case should have been open in bankruptcy court to the protection of my residential property. As this was also a violation to a denial of a modification.

Do I have to file a lawsuit. A lawsuit will be filed for all the misconduct and violation and fraud on my bankruptcy chapter 13 and chapter 7 petitions of my residential property. A lawsuit in triple the amount of what my residential property is worth and for all the pain and suffering and going back and forwards to court and the conspiracy to commit fraud and theft/ forced, foreclosure of my residential home. A lawsuit in the amount of \$480,000 dollars I will be seeking in damages (lawsuit). A free and clear house as Attorney Schlachter played on, with his words. Or a modification as promised, compel the payments. We were willing to work and negotiate, even though Rushmore Loan Management Services and MTGLQ are not authorized to give a modification. A note we can produce says payments of \$754.00 a month and fixed rate does not change. Even when in care of another party. So there are damages and a lawsuit is needed of the abuse in my bankruptcy cases. This from the damaging letter of defamation Attorney Schlachter wrote of my sister Sonia and myself. The letter of apology Attorney Schlachter demanded that I write to the bankruptcy court and to himself. Degradation of my intelligence and of my self-esteem.

Also when Attorney Alster did not show for my 341 meeting and it was adjourned. Leaving documents undone. And we had a change in finances after this. The new court date Attorney Alster did not take documents and played around putting his wife on the phone with my sister and his lollipop getting caught in her hair. This because it was not possible to obtain a modification with Wells Fargo and my chapter 13 case was abruptly closed. This because of lack of a modification, that was not even attainable. And the many request made to a modification that was denied by Rushmore Loan Management Services and Attorneys Pluese, Becker & Saltzman in filing or attempting to be apart of false claims. Attorney Schlachter emailed me that I not, tell the bankruptcy court via letter what took place in his office. And on January 30, 2018 hearing date. Attorney Schlachter mentioned, that I communicated with Rushmore in his office. And this was the issue of conversation Attorney Schlachter was referring too. I never had a conversation with Rushmore in his office, And I never had a conversation with Mr. Tim Fricki at any time. Attorney Schlachter lied again in court.

Also one phone call Me. Neives made was about the home owners insurance. And I was asked by the insurance company who was paying insurance on my property in 2015 and I stated I did not know? So clearly Rushmore Loan Management Services request for me to obtain homeowner insurance long ago in 2015 was a factor. This started to sound as if insurance was not paid in 2015. My case was dismissed thou all of this conflict exist. I have been communicating all of theses issues to bankruptcy court via letters. What do I have to do, that possible an injustice is not made of the improper and illegal sale of my residential property. What must I Do? I tried to work with Attorney Schlachter.

Sincerely

Stephanie Washington



Sonia Washington



CC. U.S. Department of Justice

CC U. S. Attorney's Office District of Columbia

CC Office of The Comptroller

CC State of New Jersey Office of Attorney Ethics

CC U.S. Judicial Conferences Advisory Committee

CC Department of Civil Rights

CC Consumer Financial Protection Bureau

CC Board of Governors of The Federal Reserve

CC Governor Phil Murphy

CC Lieutenant Governor Sheila Oliver

CC Senator Cory Booker

CC Senator Robert Menendez

CC Senator Tom Macarthur

CC Senator Elizabeth Warren

CC Congresswoman Maxine Waters

CC U.S. Trustee Department

CARLITA A. PEREZ 2/3/18
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES MAY 25, 2022
ID # 2360325

CLERK
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DISTRICT OF NEW JERSEY
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